

Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 SS-15 ONY-00 /026 W
-----126604 291517Z /40

P 291419Z JUN 77
FM AMEMBASSY ANTANANARIVO
TO SECSTATE WASHDC PRIORITY 9395

C O N F I D E N T I A L SECTION 1 OF 2 ANTANANARIVO 1205

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E.O. 11652:GDS
TAGS: PINT, SHUM,MA
SUBJECT: DRAFT HUMAN RIGHTS PLAN FOR MADAGASCAR

REFS: (A) STATE 142619, (B) ANTANANARIVO 1164 AND PREVIOUS

1. SUMMARY: WITH SOME CHANGES NOTED BELOW, REF A IS GOOD EVALUATION OF HUMAN RIGHTS SITUATION IN DEMOCRATIC REPUBLIC OF MADAGASCAR (DRM). WE WOULD PREFER NOT TO APPROACH DRM ON THIS SUBJECT EXCEPT AT A TIME WHEN WE WOULD TRY TO ENLIST ITS SUPPORT FOR A SPECIFIC INTERNATIONAL MEASURE ON HUMAN RIGHTS, SUCH AS A UN RESOLUTION. END SUMMARY.

2. REF A GENERALLY REFLECTS HUMAN RIGHTS SITUATION AS WE SEE IT IN MADAGASCAR. IN SHORT, THERE IS REMARKABLY LITTLE ABUSE OF THE PERSON, BUT THE PRINCIPLE OF A PLURALISTIC POLITY HAS BEEN DELIBERATELY REJECTED AND AS A RESULT THERE IS ONLY A SMALL MARGIN OF TOLERANCE FOR POLITICAL OPPOSITION TO THE PRESENT REGIME. AN EXAMPLE OF THIS CLOSE LIMIT WAS THE RECENT SUSPENSION, ON JUNE 20, OF THE PRO-WEST NEWSPAPER MARESAKA FOR A SIX-MONTH PERIOD. THE CLOSURE WAS OSTENSIBLY FOR HAVING PUBLISHED UNACCEPTABLE MATERIAL SUCH AS CRITICISM OF CUBA AND PRAISE OF SOUTH KOREA, BUT IT IS ALSO SAID THAT PARTICIPATION BY MARESAKA PERSONNEL IN RECENT MONIMA DEMONSTRATIONS (REF B) MAY HAVE BEEN THE REAL
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CAUSE. ON THE OTHER HAND, THE GOVERNMENT DID NOT TRY TO STOP MONIMA'S CALL FOR ACTION AGAINST THE RULE OF PRESIDENT RATSIRAKA, THEREBY DEMONSTRATING THAT ITS INSISTENCE ON POLITICAL CONFORMITY IS NOT ABSOLUTE.

3. SOME ASPECTS OF THE PRESENT REGIME'S LIMITED AUTHORITY ARE INSTITUTIONALIZED IN ITS LAWS. ARTICLE 16 OF

THE CONSTITUTION AUTHORIZES THE SUSPENSION OF THE RIGHTS AND LIBERTIES OF INDIVIDUALS "IMPEDING THE COMING OF THE SOCIALIST STATE, HARMING THE INTERESTS OF THE COMMUNITY," ETC. A PRESS ORDINANCE AUTHORIZES THE SUSPENSION OF PUBLICATIONS "OF SUCH A NATURE AS TO PERTURB PUBLIC ORDER OR ENDANGER NATIONAL UNITY," WHICH WAS CITED IN THE CLOSURE OF MARESAKA. ONLY POLITICAL ORGANIZATIONS SUPPORTING THE PRESENT REVOLUTION ARE AUTHORIZED TO CONDUCT POLITICAL ACTIVITIES. THESE ARE SPECIFIED BY ORDINANCE AND THEIR ACTIVITIES MUST BE EXERCIZED ONLY WITHIN THE CONTEXT OF THE NATIONAL FRONT FOR THE DEFENSE OF THE REVOLUTION, OF WHICH THEY ARE THE ONLY MEMBERS. AS REPORTED, THE FRONT HAS NOMINATED A SINGLE LIST FOR THE LEGISLATIVE ELECTIONS OF JUNE 30, 1977.

4. WE KNOW OF NO REPEAT NO POLITICAL PRISONERS, ALTHOUGH WE HAVE HEARD AND REPORTED SOME RUMORS OF TEMPORARY ARRESTS FOR COUP PLOTTING.

5. BASED ON THE ABOVE GENERAL COMMENTS, I SUGGEST THE FOLLOWING CHANGES IN REF A.

6. PARAGRAPH A.1, FIRST SUBPARAGRAPH. OMIT THE WORD "PROSELYTIZE." ADD: POLITICAL FREEDOM IS LIMITED BY THE GOVERNMENT'S PROHIBITION OF POLITICAL ACTIVITY BY ALL BUT A HANDFULL OF POLITICAL ORGANIZATIONS WHICH "FULLY SUPPORT

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THE AIMS OF THE REVOLUTION." SUSPENSION OF CIVIL RIGHTS AND LIBERTIES OF INDIVIDUALS OPPOSING THE REVOLUTION IS AUTHORIZED BY THE CONSTITUTION.

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7. 7. SAME PARAGRAPH, THIRD SUBPARAGRAPH. AFTER "INVOLVEMENT WITH POLITICAL ISSUES" ADD THE FOLLOWING: "IN CASES INFOVLING FOREIGNERS, HOWEVER, THERE HAVE OCCASIONALLY BEEN INSTANCES OF LONG DETENTION WITHOUT TRIAL OR BAIL."

8. IN PARAGRAPH A.2 THE SENTENCE WHICH BEGINS ""THE PRESS..." SHOULD BE REPLACED WITH THE FOLLOWING: "THERE IS PREPUBLICATION CENSORSHIP OF THE PRESS AND AS A RESULT NO ARTICLES ARE PUBLISHED WHICH WOULD DISCOMFORT ETC... SUSPENSION OF PUBLICATIONS IS AUTHORIZED FOR PERTURBATION OF PUBLIC ORDER OR ENDANGERING NATIONAL UNITY."

9. IN SAME PARAGRAPH CHANGE SENTENCE ON PROPAGANDA TO READ: "...ALTHOUGH SINCE 1976 THERE HAS BEEN CONSIDERABLY LESS PROPAGANDA SPECIFICALLY AIMED AGAINST THE U.S."

10. PARAGRAPH A.4, OMIT LAST SENTENCE.

11. IN PARAGRAPH 5, INSERT NEW SENTENCE AFTER 1975. "AN OAU MISSION TO INVESTIGATE THE MASSACRE OF COMORIANS IN MAJUNGA WAS ALLOWED IN AND PERMITTED FULL FREEDOM OF OPERATION.

12. ANALYSIS AND RECOMMENDATIONS: I WOULD PREFER NOT TO APPROACH DRM UNLESS AND UNTIL WE ARE IN A POSITION TO RECONFIDENTIAL

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QUEST ITS SUPPORT FOR A SPECIFIC HUMAN RIGHTS MEASURE, SUCH AS A UN RESOLUTION. TO DO SO WOULD BE COUNTERPRODUCTIVE IN VIEW OF OUR PRESENT RELATIONS, AS STATED IN PARAS B.1 AND B.2, UNLESS WE WERE SIMPLY TO PRAISE THE DRM RECORD WHICH WOULD NOT BE QUITE HONEST ON OUR PART GIVEN THE RESERVATIONS CONTAINED IN THIS MESSAGE AND REF A. WHEN AND IF WE CAN SPEAK TO THEM ON A SPECIFIC OBJECTIVE, WE CAN USE THAT OCCASION TO GIVE THEM CREDIT WHERE CREDIT IS DUE, SPECIFYING THAT THEIR GOOD RECORD IS THE REASON WE HOPE FOR THEIR SUPPORT. WE CAN, AT THE SAME TIME, NOTE THE CONTRASTS WHICH EXIST BETWEEN OUR PERCEPTION OF FULL ENJOYMENT OF HUMAN RIGHTS AND THE LIMITATIONS EXISTING ON FREEDOM OF THE PRESS AND POLITICAL ACTIVITY IN PRESENT-DAY MADAGASCAR.BARRETT

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